

1 BUCHALTER NEMER
A Professional Corporation
2 SARAH K. ANDRUS (#174323)
MIA S. BLACKLER (#188112)
3 333 Market Street, 25th Floor
San Francisco, CA 94105-2130
4 Telephone: (415) 227-0900 / Facsimile: (415) 227-0770

5 Attorneys for Defendants
AMERIQUEST MORTGAGE COMPANY AND
6 TOWN & COUNTRY TITLE SERVICES, INC.

7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO DIVISION**
10

11 KEITH T. TOWNS,

12 Plaintiff,

13 vs.

14 AMERIQUEST MORTGAGE COMPANY,
TOWN AND COUNTRY TITLE
15 SERVICES, INC., NORTH AMERICAN
TITLE COMPANY,

16 Defendants.
17

CASE NO. S-04-1855 FCD PAN

**JOINT STIPULATION AND ORDER TO
CONTINUE DEADLINES RE PRETRIAL
CONFERENCE STATEMENT,
PRETRIAL CONFERENCE AND
RELATED ORDER TO SHOW CAUSE**

“AS MODIFIED”

18
19 Plaintiff Keith T. Towns (“Towns”) and Defendant Ameriquest Mortgage
20 Company (“Ameriquest”) hereby stipulate as follows:

21 1. That the pretrial conference currently scheduled for March 31, 2006, may be
22 continued for a period of approximately three weeks.

23 2. That the parties’ joint pretrial conference statement deadline be continued for
24 approximately two weeks; and

25 3. That the Order to Show Cause hearing be continued to the date selected for the
26 continued pretrial conference.

27 Good cause exists for a continuance of the above-referenced deadlines. The parties
28 mediated this matter on March 13, 2006, at which the parties made progress on settlement

1 negotiations. The potential settlement contemplates a refinancing of Towns' residential mortgage
2 loan with Ameriquest. Accordingly, Towns needs time to work with potential lenders to assess
3 his lending ability, and the parties need to agree on the settlement amounts at issue. The
4 mediation was originally scheduled for March 6, 2006, through the Court's VDRP Program,
5 Richard Pachter, Esq. presiding as mediator. Mr. Pachter became unexpectedly unavailable on
6 March 6, 2006, and March 13, 2006 was the earliest available date thereafter.

7 Given that the parties are working towards settlement of this matter, the parties
8 respectfully suggest that their efforts are best spent on settlement for the next couple of weeks
9 rather than trial preparations to minimize party and judicial resources.

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11 DATED: March __, 2006

BUCHALTER NEMER,
A Professional Corporation

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14 By: _____
MIA S. BLACKLER
Attorneys for Defendants
15 AMERIQUEST MORTGAGE COMPANY and
16 TOWN & COUNTRY TITLE SERVICES, INC.

17 DATED: March __, 2006

LAW OFFICES OF LEWIS NELSON

18
19 By: _____
LEWIS NELSON
Attorneys for Plaintiff
20 KEITH T. TOWNS

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ORDER

1. The pretrial conference currently scheduled for March 31, 2006 is VACATED and RESET to Friday, May 19, 2006 at 1:30 p.m.;

2. The parties' joint pretrial conference statement shall be filed on or before May 12, 2006; and

3. The Order to Show Cause hearing currently scheduled for March 31, 2006 is VACATED and RESET to Friday, May 19, 2006 at 1:30 p.m. Defendant's response to the Order to Show Cause shall be filed on or before May 12, 2006;

4. The court trial set for May 23, 2006 is VACATED and shall be RESET, if necessary, at the final pretrial conference.

IT IS SO ORDERED

Dated: March 22, 2006

/s/ Frank C. Damrell Jr.
THE HONORABLE FRANK C. DAMRELL, JR.
JUDGE OF THE EASTERN DISTRICT COURT